

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

RONALD JACKSON, et al.,

CV-13-65-GF-BMM-RKS

Plaintiffs,

vs.

THE BOARD OF TRUSTEES OF
WOLF POINT, MONTANA,
SCHOOL DISTRICT NO. 45-45A,
et al.,

Defendants.

**ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS**

The Court referred this case to United States Magistrate Judge Keith Strong.

Judge Strong entered findings and recommendations on April 21, 2014, to grant Plaintiff's motion for attorney fees. Doc. 80.

Plaintiffs prevailed in a lawsuit that addressed malapportioned voting districts in violation of the Equal Protection Clause of the United States Constitution's Fourteenth Amendment. Judge Strong found that the Plaintiffs are entitled to attorneys' fees and costs by statute. *Id.* He recommended that the Plaintiffs should be awarded \$135,921.61 in fees and costs. *Id.*

Neither party objected to Judge Strong's findings and recommendations. Therefore, this Court reviews Judge Strong's findings and recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d

1309, 1313 (9th Cir. 1981). Clear error exists only if the Court's review leaves it with a "definite and firm conviction that a mistake has been committed." *Silva v. Woodford*, 279 F.3d 825, 835 (9th Cir. 2002).

Though neither party objects to Judge Strong's findings and recommendations, the Plaintiffs respond that the Court approved paralegal costs in the amount of \$1,666.00, but inadvertently omitted this amount from the total amount of costs awarded. Doc. 81. Plaintiffs asked that the total award of attorneys' fees be increased from \$135,921.61 to \$137,587.61. *Id.* Plaintiffs are correct. They shall be awarded \$137,587.61 in fees and costs. This Court finds no other clear error in Judge Strong's findings and recommendations, Doc. 80, and adopts the remainder of the findings and recommendations in full.

IT IS HEREBY ORDERED that Judge Strong's findings and recommendations, Doc. 80, are **ADOPTED** with the modification that the Plaintiffs shall receive \$137,587.61 instead of \$135,921.61. Judgment shall be entered accordingly.

DATED this 6th day of May, 2014.



Brian Morris
United States District Court Judge